

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Criminal No.08-cr-012-01-PB

Jayda Ramirez

O R D E R

On April 14, 2010, defendant appeared for a probable cause hearing under Fed. R. Crim. P. 32.1 on four alleged violations of conditions of supervision. Defendant stipulated to probable cause on the violations. I therefore find probable cause to hold her for a revocation hearing.

Defendant sought bail conditions under Rule 32.1(a)(6). Under Rule 32.1(a)(6) defendant bears the burden of establishing by clear and convincing evidence that she will not flee and that she poses no danger to any other person or to the community. Defendant used drugs last fall. She used cocaine on April 8, 2010, and marijuana between March 28 and April 3, 2010. Even after admitting that use to the Probation Officer, she used last night. She is out of control on drugs and has a temper. She is a risk of flight and a danger to the community. There are no conditions which are likely to assure her presence and the safety of the community.

Accordingly, it is ORDERED that the defendant be detained pending trial.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

I recommend admission to the "TC" Program.

SO ORDERED.



James R. Muirhead
United States Magistrate Judge

Date: April 14, 2010

cc: Bjorn R. Lange, Esq.
Clyde R. W. Garrigan, Esq.
U.S. Marshal
U.S. Probation